

## Message Text

SECRET

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ACTION NODS-00

INFO OCT-01 ISO-00 /001 W  
-----141920Z 037343 /45  
O 141740Z FEB 77  
FM AMEMBASSY MOSCOW  
TO SECSTATE WASHDC NIACT IMMEDIATE 4168

S E C R E T SECTION 1 OF 2 MOSCOW 2124

NODIS CHEROKEE

EO 11652: GDS  
TAGS: PINT PFOR SHUM UR US  
SUBJECT: HUMAN RIGHTS IN THE SOVIET UNION: WHERE DO WE GO FROM HERE?

REF: MOSCOW 2043

1. SUMMARY. AS INDICATED REFTEL, WE AND THE SOVIETS ARE NOW PUBLICLY JOINED AT THE HIGHEST LEVEL ON TWO MATTERS OF FUNDAMENTAL PRINCIPLE: THE QUESTION OF HUMAN RIGHTS AND THE QUESTION OF NON-INTERFERENCE IN INTERNAL AFFAIRS. I AM SURE YOU ARE AS CONCERNED AS I AM BY THIS RECENT TURN OF EVENTS AND ITS POTENTIAL NEGATIVE IMPACT ON THE U.S.-SOVIET RELATIONSHIP. I FEEL STRONGLY THAT UNLESS WE MOVE QUICKLY TO DEFUSE THE SITUATION WE MAY FIND OURSELVES AT A POINT WHERE THE PRESTIGE OF BOTH THE PRESIDENT AND BREZHNEV IS SO HEAVILY COMMITTED THAT OUR AREA FOR MANEUVER MAY BE DANGEROUSLY CIRCUMSCRIBED. I BELIEVE WE SHOULD CONSIDER NOW THE DESIRABILITY OF AN IMMEDIATE DEMARCHE TO BREZHNEV WHICH WOULD ENCOMPASS (1) A WRITTEN MESSAGE FROM THE PRESIDENT TO SET FORTH OUR PRINCIPLED POSITION ON HUMAN RIGHTS AND (2) AN ACCOMPANYING ORAL MESSAGE TO BROACH OUR VIEWS ON SENSITIVE DEFUSING MEASURES. MY SUGGESTIONS FOR THE CONTENTS OF SUCH MESSAGES ARE OUTLINED BELOW. END SUMMARY.

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2. RIGHTLY OR WRONG, THE SOVIETS SEE THE HUMAN RIGHTS MOVEMENT HERE AS A DIRECT CHALLENGE TO THEIR SYSTEM AND ITS IMAGE ABROAD. THEY ALSO REGARD THE USG'S PUBLIC ENDORSEMENT OF THE DISSIDENTS AS BLATANT, IMPERMISSIBLE INTERFERENCE IN THEIR INTERNAL AFFAIRS, AS WELL AS AN EFFORT TO DRIVE THE WEDGE DEEPER BETWEEN THEMSELVES AND THE NON-RULING WESTERN COMMUNIST PARTIES.

3. THE IMPACT OF THE CURRENT CRACKDOWN ON OUR BILATERAL RELATIONS WOULD INCREASE WERE SAKHAROV--IN THE WAKE OF THE ARRESTS OF GINZBURG, ORLOV AND RUDENKO AND THE OMINOUS FEB 12 PRAVDA BLAST--TO REVEAL THE TEXT OF THE PRESIDNET'S UNPRECEDENTED FEB 5 LETTER. (AS REPORTED EARLIER, IT IS SAKHAROV'S INTENTION AT SOME POINT TO MAKE PUBLIC HIS RECEIPT OF THE LETTER AND MAY ALSO COMMENT ON ITS SUBSTANCE.) BREZHNEV COULD WELL TAKE LETTER AS A PERSONAL AFFORT, AND THE SOVIETS MIGHT BE EVEN MORE INCLINED TO STAGE A SHOW TRIAL AGAINST GINZBURG OR ORLOV WITH CONSEQUENT LONG-TERM SENTENCES. THIS--PARTICULARLY BECAUSE OF WIDESPREAD CONCERN ABOUT THE EFFECT ON GINZBURG'S HEALTH OF EXTENDED INCARCERATION--COULD IN TURN INFLAME EMOTIONS IN THE U.S. TO THE POINT OF SETTING BACK THE TIMETABLE FOR RESOLVING MAJOR ITEMS ON THE U.S.-SOVIET AGENDA.

4. IF THIS SCENARIO IS PLAUSIBLE, AND I FEEL IT IS, THEN THE QUESTION IS HOW DO WE--DN THE SOVIETS--MOVE QUICKLY TO EXTRICATE OURSELVES WITHOUT SERIOUS LOSS OF FACE FOR THE PRESIDENT, OR, LESS IMPORTANTLY, BREZHNEV AS WELL. WHILE I WOULD PREFER TO PONDER QUESTION AT LENGTH AND IN GREATER DEPTH, THE MATTER IS OF GREAT URGENCY AND I FEEL COMPELLED TO COMMEND TO YOUR CONSIDERATION NOW A COURSE OF ACTION WHICH MAY BE VIEWED IN SOME QUARTERS AS EXTREME AND OVERREACTING TO THE RECENT TURN OF EVENT. FROM HERE, I DO NOT SEE IT THAT WAY.

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TM I RECOMMEND IMMEDIATE DELIVERY OF TWO SIMULTANEOUS PRESIDENTIAL MESSAGES TO BREZHNEV, ONE WRITTEN AND ONE ORAL, PREFERABLY DELIVERED IN MOSCOW.

6. THE PRESIDENTIAL LETTER TO BREZHNEV WOULD SET FORTH OUR UNDERSTANDING OF THE PROBLEM IN A RESTRAINED, FACTUAL MANNER BY:

(A) REFERRING TO UR MUTUAL UNDERTAKING IN THE 1972 DOCUMENT ON "BASIC PRINCIPLES OF RELATIONS" TO EXERCISE RESTRAINT IN OUR MUTUAL RELATIONS AND TO SETTLE DIFFERENCES THROUGH DISCUSSIONS AND NEGOTIATION;  
(B) STATING CATEGORICALLY THAT WE FULLY INTEND TO OBSERVE THE PRINCIPLE OF NON-INTERFERENCE IN SOVIET INTERNAL AFFAIRS, WHILE AT THE SAME TIME REMAINING TRUE TO OUR TRADITIONS AND VALUES;  
(C) POINTING OUT THAT THE PRESIDENT'S AND YOUR RECENT STATEMENTS WERE MADE ON THE BASIS OF DEEPLY HELD COMMITMENTS OF THE AMERICAN PEOPLE TO HUMAN RIGHTS THROUGHOUT THE WORLD, WHETHER IN THE USSR, SOUTH AFRICA,

RHODESIA, CHILE, INDIA OR THE PRC--COMMITMENTS WHICH ARE REFLECTED BY OUR SIGNATURE OF THE UNITED NATION'S CHARTER AND THE HELSINKI FINAL ACT AMONG OTHER INTERNATIONAL AGREEMENTS;

(D) AFFIRMING THAT WHILE OUR CONCERN FOR HUMAN RIGHTS IS DEEP AND ABIDING, OUR STATEMENTS ARE NOT INTENDED AS AN EFFORT TO INTERFERE IN SOVIET INTERNAL AFFAIRS; AND THEY CERTAINLY DO NOT CALL FOR ANY CHANGE IN THE USSR'S DOMESTIC SYSTEM;

(E) REBUTTING SPECIFICALLY THE FEB 12 PRAVDA IMPLICATION THAT THE UNITED STATES GOVERNMENT SEEKS TO SUBVERT SOCIALISM OR THE SOVIET SYSTEM;

(F) REPLEDGING OUR DESIRE TO CONTINUE CLOSE COOPERATION WITH THE SOVIET SIDE ON SALT, ARMS REDUCTION, INCREASED TRADE, AND AN EQUITABLE MIDDLE EAST SETTLEMENT.

7. THE ACCOMPANYING ORAL MESSAGE TO BREZHNEV WOULD  
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STATE THAT:

(A) WE APPROACH THIS, AS OTHER ISSUES THAT DIVIDE US, IN A SPIRIT OF MUTUAL UNDERSTANDING RATHER THAN PUBLIC CONFRONTATION;

(B) OUR INTERPRETATIONS OF HUMAN RIGHTS AND WHAT CONSTITUTES INTERFERENCE IN EACH OTHER'S INTERNAL AFFAIRS OBVIOUSLY DIFFER FUNDAMENTALLY, AND WE WOULD WELCOME AN OPPORTUNITY TO DISCUSS THIS AT LENGTH. WE MUST NOTE THAT WHILE THE SOVIET SIDE APPARENTLY IS SENSITIVE TO OUR STATEMENTS ON HUMAN RIGHTS IN THE USSR, THERE HAS NEVER BEEN ANY DEARTH OF SOVIET COMMENT IN OFFICIAL ORGANS OF THE CPSU AND SOVIET GOVERNMENT ON THE SITUATION ON HUMAN RIGHTS IN THE U.S., INCLUDING AMERICAN MINORITIES AND ALLEGEDLY PERSECUTED INDIVIDUALS;

(C) WE UNDERSTAND, ALTHOUGH DO NOT AGREE WITH, THE SOVIET CONCEPTIONS OF "INTERNATIONAL CLASS STRUGGLE", AND "IDEOLOGICAL WARFARE"; WE DO NOT CONSIDER OFFICIAL SOVIET EXPRESSIONS OF OPINION CONCERNING THE U.S. AS INTERFERENCE IN OUR INTERNAL AFFAIRS; WE THINK IT REASONABLE TO EXPECT THE SAME UNDERSTANDING FROM THE SOVIET SIDE;

(D) OUR COMMITMENT TO HUMAN RIGHTS ISSUES AS WE VIEW THEM WILL REMAIN FIRM, JUST AS WE EXPECT THE SOVIET SIDE TO CONTINUE ITS BELIEF--IN OUR VIEW MISTAKEN--ABOUT "THE GENERAL CRISIS OF CAPITALISM" AND HUMAN RIGHTS IN THE U.S. INDEED, BREZHNEV SHOULD KNOW THAT

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ACTION NODS-00

INFO OCT-01 ISO-00 /001 W  
-----141812Z 036682 /53

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FM AMEMBASSY MOSCOW  
TO SECSTATE WASHDC NIACT IMMEDIATE 4169

S E C R E T SECTION 2 OF 2 MOSCOW 2124

NODIS CHEROKEE

THE PRESIDENT HAS RECENTLY WRITTEN A BRIEF LETTER TO SAKHAROV SETTING FORTH HIS GENERAL PHILOSOPHY ON THE HUMAN RIGHTS PROBLEM. WHILE WE DO NOT INTEND TO PUBLICIZE THIS LETTER, SAKHAROV MAY DO SO AND, IF HE DOES, WE, OF COURSE, WILL NOT DISAVOW IT;

(E) WE DO NOT EXPECT THE SOVIET SIDE TO DISAVOW ITS STATED PRINCIPLES, NOR SHOULD WE BE EXPECTED TO DO SO. IT IS, HOWEVER, IN OUR MUTUAL INTERESTS TO MINIMIZE THE IMPACT OF OUR DISPARATE VIEWS ON THIS ISSUE ON OUR BILATERAL RELATIONS. THIS CONCERN, IN OUR VIEW, COULD BE MET AS FOLLOWS:

(1) RECOGNIZING THAT THIS IS A MATTER SOLEY FOR THEIR DECISION, WE FEEL THE SOVIETS SHOULD KNOW THAT U.S. PUBLIC AND CONGRESSIONAL OPINION FEELS MUCH MORE DEEPLY ABOUT HUMAN RIGHTS THAN APPARENTLY THE SOVIETS THINK. U.S. OPINION CANNOT CONDONE THE RECENT ARRESTS OF THE DISSIDENTS. OF THE CONCEIVABLE ALTERNATIVES REGARDING THEIR FATE, WE THINK U.S. OPINION WOULD ACT LEAST NEGATIVELY TO DEPORTATION OF DISSIDENTS TOGETHER WITH THEIR FAMILIES;

(2) WE WILL REVIEW CAREFULLY THE ALLEGATIONS IN THE FEB 12 PRAVDA EDITORIAL REGARDING RADIO BROADCASTS AND TAKE APPROPRIATE ACTION;

(3) WE RESTATE OUR WILLINGNESS TO AVOID A POLEMICAL SHOWDOWN AT THE JUNE 15 BELGRADE MEETING AND THE

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SUBSEQUENT REVIEW SESSION, TO AVOID ATTEMPTS TO RENEGOTIATE THE FINAL ACT, AND TO CONCENTRATE ON BALANCED IMPLEMENTATION OF ALL THREE BASKETS.

8. I REALIZE HOW DIFFICULT IT WILL BE TO BITE THIS BULLET. WE MAY, HOWEVER, BE ON THE VERGE OF A DOWNWARD SPIRAL OF ACTION AND COUNTER-ACTION ON HUMAN RIGHTS WHICH COULD CAUSE A MAJOR SETBACK IN OUR BILATERAL RELATIONS SIMILAR TO THE 1974 SOVIET RENUNCIATION OF THE TRADE AGREEMENT. AT THE LEAST, A DEMARCHE OF THE TYPE I SUGGEST WOULD DEMONSTRATE OUR READINESS TO DISCUSS RATHER THAN CONFRONT, TAKE DUE NOTE OF THE CONCERNS EXPRESSED IN THE PRAVDA EDITORIAL, AND LEAVE NO DOUBT IN THE MINDS OF THE SOVIET LEADERSHIP ABOUT THE NEGATIVE EFFECT UPON OUR RELATIONSHIP THAT FURTHER TENSION OVER HUMAN RIGHTS CAN GENERATE. THERE MAY BE BETTER WAYS FROM WASHINGTON'S VANTAGE POINT TO HANDLE THIS PROBLEM. AS I SEE IT, THE ESSENTIAL THING IS TO RECOGNIZE THE SERIOUSNESS OF THE PROBLEM AND DEAL WITH IT NOW.

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## Message Attributes

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